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July 2, 2012

Mr. Mark Pattillo  
Regulatory Branch  
U.S. Army Corps of Engineers  
5151 Flynn Parkway, Suite 306  
Corpus Christi, TX 78411-4318

401 Coordinator  
TCEQ, Mail Code 150  
P.O. Box 13087  
Austin, TX 78711-3087

Re: Permit Application Number SWG-1997-01485  
Alamo Concrete Products, Ltd.

Dear Mr. Pattillo and 401 Coordinator,

Texas Parks and Wildlife Department (TPWD) has reviewed the Interagency Coordination Notice (ICN) for permit application number SWG-1997-01485 (formerly 12779(04)) dated June 22, 2012. The applicant, Alamo Concrete Products, Ltd., requests an extension of time of 10 years to perform maintenance dredging in an existing commercial marine facility. The purpose of the maintenance dredging is to maintain the previously authorized depth of -12 feet Mean Low Water (MLW) adjacent to the Gulf Intracoastal Waterway and -11 feet MLW in the existing barge slip. Dredging would be conducted by hydraulic or mechanical means, and dredged material would be placed in a previously approved enclosed upland disposal area. The project site is located in Redfish Bay at the end of Sunray Road in Ingleside, San Patricio County, Texas.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency on or after September 1, 2009 may be required by state law. For further guidance, please see Texas Parks & Wildlife Code Section 12.0011 at <http://www.statutes.legis.state.tx.us/Docs/PW/htm/PW.12.htm>.

Since responding to the Superior Crude Gathering, Inc. oil spill event that began on February 9, 2010, TPWD is now alert to the fact that the Alamo Concrete Products, Ltd. project site is contiguous with wetlands affected by the Falcon Refinery Superfund Site located at FM 2725 at Bishop Road in Ingleside, San Patricio County, Texas. By letter dated June 15, 2012, TPWD recently provided comments and recommendations for permit application number SWG-2007-01220 submitted by Garrett Construction Co. (another project site adjacent to the Superfund Site). To provide additional information concerning the history and current status of the Superfund Site that is available online, a copy of this letter is enclosed. Because contaminants associated with the Superfund Site are suspected to have migrated into Redfish Bay through the wetlands that are contiguous with the Alamo Concrete Products, Ltd. project site, TPWD has concerns for the proposed extension of time for maintenance dredging.

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Due to the proximity of the project site to the wetlands of the Falcon Refinery Superfund Site, and the apparent hydrological connection between these wetlands and the project site, TPWD is concerned that the sediments and/or porewaters at the project site may also be contaminated. Additionally, TPWD is concerned that both the authorized and proposed work may potentially contribute to the migration of contaminants into Redfish Bay. This project was last reviewed in 1997, prior to the discovery of contaminants in 2000. Consequently, this aspect of the project has not been included in previous evaluations.

Therefore, TPWD recommends that this project be coordinated with the U.S. Environmental Protection Agency. Sediment and porewater testing should be required to determine if the project area has been contaminated. If the results indicate that the project site is contaminated, an alternatives analysis should be conducted to determine the least environmentally damaging practical alternative for dredged material placement (e.g., leave the material in place or no action, place material onsite as proposed, dispose of the material at a hazardous materials landfill, etc.). The proximity of the Superfund Site and the potential for contaminant migration should be considered new information. TPWD understands that new information may require additional actions to determine if the project is in the public's best interest, such as a public notice and/or the development of an environmental assessment or an environmental impact statement.

TPWD recommends that U.S. Army Corps of Engineers and the Texas Commission on Environmental Quality consider the proximity of the project site to the Falcon Refinery Superfund Site and to the sensitive fish and wildlife resources of the Redfish Bay area in their respective evaluations of this project. These evaluations should include any currently authorized work as well as the proposed extension of time for maintenance dredging.

Questions can be directed to Ms. Jackie Robinson (361-825-3243) or Ms. Leslie Williams (361-825-2329) in Corpus Christi.

Sincerely,

*Leslie Williams*

*for*  
Ms. Rebecca Hensley  
Regional Director, Ecosystem Resources Program  
Science and Policy Branch  
Coastal Fisheries Division

RH:LW:JR

Encl.